

2006 SESSION REPORT
Senate Labor, Commerce, Research & Development Committee

Bills Passed Out of Committee (Not Including Enacted Bills)

Bill No.	Prime Sponsor	Summary	Status – current (Highest status)
BUILDING & CONSTRUCTION			
ESSB 6740	Fraser	Construction lien laws. The amount of the lien claimed cannot include interest, collection costs, etc., although a court may award such amounts as part of a judgment. If a homeowner has fully paid the contractor for all amounts due on a remodel project, and timely notifies a lien claimant, the lien claim is void. The definitions of contractor and specialty contractor are amended. A residential contractor must identify the financially responsible members of the contracting business when registering or renewing with L&I and L&I may increase bonding requirements if any such person has, in the preceding two years, been a party to a case where a homeowner was required to pay some or all of a lien claim subject to this bill.	S Rules X (S 3 rd Reading)
HB 1331	Conway	Electrical Contractors. Prohibits advertising for electrical work without having an electrical contractor license. (Was included in SHB 1841)	H Rules 3 C (S 2 nd Reading)
BUSINESS LICENSING & REGULATION			
SSB 5844	McAuliffe	Self-service storage units. The first notice described in the statute is clarified to be a preliminary lien notice, and the second notice is identified as a notice of final lien sale or notice of final disposition. The order of expenses to which the proceeds of a lien sale are applied is clarified. A person claiming a right to the property to be sold or disposed of may stop the sale or disposition by paying the amount needed to satisfy the lien, and one month's rent. If a court order regarding disposition of the property is not obtained within 30 days, the claimant must pay the monthly rental charge.	S Rules 2 (S 2 nd Reading)
SSB 6214	Keiser	Security guard training. A private security company must annually provide eight hours of certain skills training to each of the licensed security guards it employs. Security guard companies must maintain records of such training for three years. Only a trainer certified by DOL may provide training required by the act.	S Rules X (S Rules 2)
SSB 6291	Kohl-Welles	Cosmetology licensing. No cosmetology license is required for a person who, in the course of volunteering with or working for a professional photographer or certain performing arts entities, applies make-up to, and arranges or prepares the hair of, another person in preparation for the other person to be professionally photographed or appear	S Rules 2

Bill No.	Prime Sponsor	Summary	Status – current (Highest status)
		in a theatrical, musical, film, video, or television performance.	
E2SHB 1395	Wood	Business & professions. Makes language clarifications and technical changes to the regulation of business and professions programs administered by DOL and to the uniform disciplinary procedures for business and professions regulated by DOL	H Rules 3C (S 2 nd Reading)
ESHB 1765	Chase	Auctioning vessels. Allowing auctioneers to auction vessels without registering as a vessel dealer.	H Rules 3C (S 2 nd Reading)
ESHB 2668	Hudgins	Professional athletics. Adds a definition of bout so that an event physician has authority to stop any bout, instead of an entire event, when in the event physician's opinion it would be dangerous to a contestant to continue. Provides that boxing, kickboxing, and martial arts promoters must obtain medical insurance and provide proof of insurance to the Department of Licensing 72 hours before each event.	H Rules 3C (S Rules 2)
EMPLOYMENT			
SSB 6352	Kohl-Welles	Agricultural workers. Modifies the state farm labor contractor law, including provisions on licensing, bonding, contractor duties, nondiscrimination, and transportation safety. Makes the state employment agency law applicable to farm labor contractors. Modifies state laws governing public disclosure of certain federal H-2A visa program records.	S Rules X (S Rules 2)
SSB 6352	Kohl-Welles	Minimum labor standards. Employers who employ more than 5000 persons must report annually to the director of the Department of Labor and Industries (L&I) their health care expenditures and their payroll for the preceding calendar year. For-profit employers employing more than 5000 persons must spend 9 percent of their payroll on health care services expenditures or pay L&I an amount equal to the difference between what they have actually paid for health care expenditures and the 9 percent. For non-profit and governmental employers required expenditure on health care services is 7 percent of their payroll. Payments are deposited into the Health Services Account.	S Rules X (S Rules 2)
SB 6434	Keiser	Compensating on-call workers. For-profit employers employing more than 5000 persons must spend 9 percent of their payroll on health care services expenditures or pay L&I an amount equal to the difference between what they have actually paid for health care expenditures and the 9 percent. For non-profit and governmental employers required expenditure on health care services is 7 percent of their payroll. Payments are deposited into the Health Services Account.	S Rules X (S Rules 2)
GAMBLING, HORSE RACING & LOTTERY			
SSB	Prentice	Indian gaming act. A 60 percent affirmative vote of both houses of the legislature is required before the Governor is authorized to	S Rules X

Bill No.	Prime Sponsor	Summary	Status – current (Highest status)
6301		concur with the Secretary of the Interior's determination that off-reservation lands acquired into trust for a tribe after the 1988 adoption date of IGRA may be approved for Class III gambling activities.	(S 2 nd Reading)
SSB 6523	Kohl-Welles	Minimum age for gambling. Persons under the age of 21 are prohibited from wagering on activities regulated by the Gambling Commission in any part of A facility where alcohol for on-site consumption is sold or allowed. It is also unlawful to assist, participate with, or knowingly allow a person under 21 to wager on activities regulated by the Gambling Commissions. Amusement games are removed from regulation under the Gambling Act.	S Ways & Means
SSB 6615	Prentice	Social card games. The WSGC is prohibited from issuing or renewing a license for house-banked card games except in a location specified in an existing license or pending license application as of January 31, 2006. An existing or pending license may be renewed so long as the city or county in which the licensee operates does not have in effect an ordinance absolutely prohibiting such gambling activity throughout the jurisdiction as of the effective date of or other date specified in the ordinance.	S Rules X (S Rules 2)
SB 6856	Prentice	Indian gaming regulatory act. Actions to litigate tribal-state disputes arising under IGRA may be brought on and after July 30, 2007.	S Rules X (S Rules 2)
SSCR 8417	Kohl-Welles	Gambling policy committee. Establishes a 16-member Joint Select Committee on the Future of Gambling Policy Setting to examine the current and potential future of legalized gambling in Washington, other states, and Canada.	S Rules 3 (H Rules 2)
SHB 1944	Hunt	State employee raffles. Allows state employees to conduct and participate in raffles for charitable purposes. Allows state employees to solicit donations to support raffles for charitable purposes.	H Rules 3C (S passed; H refused to concur in S amds.)
HB 3285	Conway	Bingo. Exempts charitable and nonprofit organizations from gambling taxes on bingo and/or amusement games if the organization's annual net receipts do not exceed \$200,000 (instead of \$5,000).	H Rules 3C (S Rules 2)
LIQUOR			
SB 6538	Kohl-Welles	Flavored malt beverage. Allows "flavored malt beverages" to be marketed, distributed, sold, and taxed as beer, not as spirits. Defines "flavored malt beverage" in a manner similar to a new federal standard.	S 2 nd Reading HB 2562 - companion - passed
SSB 6703	Schoesler	Spas and art galleries/wine. A spa or art gallery may offer one glass of wine to a customer for consumption on the spa's or art gallery's premises. The customer must be at least 21 years old and the spa must have legally obtained the wine. A spa that provides massages may not offer a glass of wine to a customer until after the massage is completed.	S Rules X (S 2 nd Reading)
SSB 6838	Jacobsen	Sale of beer. Until June 30, 2007, a statewide nonprofit organization of microbreweries may hold a special occasion	S Rules X (S 2 nd Reading)

Bill No.	Prime Sponsor	Summary	Status – current (Highest status)
		liquor license to conduct up to six beer festivals	Bill language was included in SB 6661.
SB 6842	Kohl-Welles	Sport/entertainment facility. A manufacturer, importer, or distributor may enter into an arrangement with a sports/entertainment facility licensee to allow brand advertising at the licensed facility or to promote events at the facility. This financial arrangement cannot be used by the manufacturer, importer, or distributor to induce persons to purchase its products, nor can it be used to exclude other companies' brands or products.	S Rules X (S 2 nd Reading)
2SHB 1430	Wood	Malt Liquor. Allows restaurants holding a spirits, beer, and wine license to sell kegs of malt liquor.	H Rules 3C (S Rules 2)
2SHB 2563	Wood	Processing liquor licenses. The Board is authorized to extend the time period within which a city, town, or county may file a written objection to an application. The Board is authorized to issue a temporary license for use on a premise not previously licensed to sell alcohol, and to renew temporary licenses at its discretion for periods of 60 days. A person must reside in the state for at least one month prior to receiving a license. The Board may process an application, but not issue a license, for an applicant who has not resided in the state for at least one month.	H Rules 3 C (S 2 nd Reading)
PUBLIC EMPLOYMENT			
SSB 6397	Kohl-Welles	Community & technical college salaries. Directs the State Board for Community and Technical Colleges (SBCTC) to recommend to the Legislature an allocation model for distribution of increments for experience, professional development and training. Specifies that the SBCTC's biennial budget request be based on .08 percent of the academic employees' salary plus the value of associated benefits. Provides for how turnover savings and increments may be generated by and allocated between full-time and part-time faculty.	S Ways & Means (Funds were included in operating budget to implement a portion of the bill.)
SSB 6420	Pridemore	Community & technical college employee. If an employee averages a 50 percent or more of a full-time workload during the academic year (Fall through Spring quarters), then the employee is eligible for continuous health benefits, irrespective of the employee's workload during the summer quarter. If an employee averages less than 50 percent of a full-time workload in an academic year, employer contribution health care benefits cease.	S Ways & Means (2SHB 2583 – companion – passed)
ESSB 6660	Spanel	Master collective bargaining. Delays the requirement that a request for funds to implement a higher education state employee collective bargaining agreement be submitted to the Director of the Office of Financial Management from October 1 to the November 15 prior to the legislative session at which the request is to be considered. Moves the deadline from October 1 to November 15 if one of the parties requests mediation, or if the parties are engaged in fact-finding.	S Rules 3 (H Approps)

Bill No.	Prime Sponsor	Summary	Status – current (Highest status)
2SHB 2595	Kenney	Community & technical college salaries. Directs the State Board for Community and Technical Colleges (SBCTC) to recommend to the Legislature an allocation model for distribution of increments for experience, professional development and training. Specifies that the SBCTC's biennial budget request be based on .08 percent of the academic employees' salary plus the value of associated benefits. Provides for how turnover savings and increments may be generated by and allocated between full-time and part-time faculty.	H Rules 3C (S Ways & Means) (Funds were included in operating budget to implement a portion of the bill.)
RESEARCH & DEVELOPMENT			
SSB 6867	Pflug	Task force on life sciences. The Task Force is to review the weaknesses in the state's capacity to support development and growth of the life sciences sector and develop a comprehensive strategy and implementation plan to: enhance life sciences research in the state; foster university collaboration; promote networking; increase the supply of risk capital; increase the number of research parks, incubators, and other facilities; enhance the business environment; and encourage permit streamlining.	S Rules X (S 2 nd Reading)
TAX INCENTIVES			
2SSB 6557	Kohl-Welles	Motion picture production. Motion picture or video production is defined for B&O and retail sales tax purposes as the creation of recorded audio-visual material, other than for a newscast or sporting event, which is intended for distribution to theaters, television, the internet, or by DVD. The rate of taxation for motion picture or video production, other than receiving royalties, is reduced from 1.5 percent to 0.484 percent. The B&O tax reduction expires July 1, 2016.	S Rules 3 (H Finance)
ESHB 2565	Kilmer	Worker training b&o. Makes a Business and Occupation (B&O) tax credit for certain worker training available to certain small businesses. Specifies that the tax credit is equal to 50 percent of the value of the job training, up to the lesser of \$10,000 or the amount of B&O tax due.	H Rules 3C (S 2 nd Reading)
TOBACCO			
SSB 6164	Kohl-Welles	Fire-safe cigarettes. Beginning August 1, 2007, only "fire safe" cigarettes may be sold in Washington. Fire safe cigarettes are a reduced ignition strength cigarette of a variety declared to be fire safe by the State Director of Fire Protection (Director). Cigarettes in the inventory of a distributor, retailer, or wholesaler at the time of the effective date are exempt from the effective date so long as the distributor, retailer, or wholesaler can demonstrate the inventory was purchased prior to the effective date in comparable quantity to the inventory purchased during the same period, one year prior.	S Ways & Means

Bill No.	Prime Sponsor	Summary	Status – current (Highest status)
SSB 6213	Regala	Smoking exemption/religious. The Clean Indoor Act definition of a public place and place of employment is amended to exclude the specific location where religious ceremonies are conducted when smoking is part of the ritual.	S Rules X (S Rules 2)
UNEMPLOYMENT INSURANCE			
SSB 6292	Kohl-Welles	Performing arts/unemployment insurance. Excludes certain stipends paid to persons involved in theater and other performances from wages that are subject to state unemployment taxes.	S Rules 3 (H C & L Comm)
SSB 6399	Kohl-Welles	Unemployment insurance collection. Modifies the penalties applicable to employers that file untimely or incomplete unemployment tax reports.	S 2 nd Reading
SSB 6710	Keiser	Unemployment insurance taxes. Upon the termination, dissolution, or abandonment of a corporate or limited liability company business, any officer or other person having control or supervision over the payment of UI tax contributions, or who is responsible for filing reports or paying UI tax contributions or the payments in lieu of contributions, is personally liable for any unpaid taxes and interest and penalties on those taxes if it is proved the officer or other person willfully failed to pay or cause to be paid any taxes due the Employment Security Department.	S 2 nd Reading
WORKERS' COMPENSATION			
SSB 5789	Prentice	Workers' compensation self-insurance. Expands the authority of self-insured employers to cover the powers and duties necessary to adjudicate most aspects of the industrial injury claims of their injured workers.	S Rules 2
SSB 6262	Kohl-Welles	Workers' compensation applications. Creates an industrial insurance pilot project administered by the Department of Labor and Industries allowing participating employers to assist workers in filing industrial insurance claims.	S Rules 3 (H C/L) SHB 2537 – companion – passed
SB 6347	Kline	Workers' compensation. Technical changes are made so that the language added to RCW 51.16 (Industrial Insurance, Collection of Premiums) is consistent with RCW 38.52 (Emergency Management).	S Rules 2 (S 2 nd Reading)
WORKFORCE DEVELOPMENT			
SHB 3003	Conway	Apprenticeship utilization. Extends apprenticeship utilization requirements to public works contracts awarded by the Department of Transportation.	H Rules 3C (S 2 nd Reading) E2SSB 6480 – companion – passed
WORKPLACE SAFETY			
SSB 6263	Kohl-Welles	Warrants/chapter 49.17 RCW/WISHA. As a general rule, L&I is required to obtain consent from the owner, manager, operator or on-site person in charge of a workplace prior to	S Rules X (S 2 nd Reading) 2SHB 2583 – companion

Bill No.	Prime Sponsor	Summary	Status – current (Highest status)
		conducting a WISHA inspection, and may enter worksite grounds, in a safe manner, to request such consent at a reasonably recognizable entry point, unless the employer has designated an entry point. L&I may apply to a court of competent jurisdiction for a search warrant to conduct a WISHA inspection, and the court is authorized to issue a warrant for such purpose.	- passed
SSB 6595	Franklin	Reducing patient injuries. Requires all hospitals to establish a Safe Patient Handling Committee or assign the duties of a Safe Patient Handling Committee to an existing committee. Requires all hospitals to establish a Safe Patient Handling Program.	S Rules X (S 2 nd Reading) ESHB 1672 – companion – passed.